

**BARCLAYS OFFICIAL CALIFORNIA CODE
OF REGULATIONS**

TITLE 13. MOTOR VEHICLES

DIVISION 3. AIR RESOURCES BOARD

**CHAPTER 2. ENFORCEMENT OF VEHICLE
EMISSION STANDARDS AND
SURVEILLANCE**

TESTING

**ARTICLE 2.2. PROCEDURES FOR IN-USE
VEHICLE ORDERED RECALLS**

This database is current through 09/16/2005, Register
2005, No. 37.

s 2126. Approval and Implementation of Recall Plan.

(a) If the Executive Officer finds that the recall plan is designed effectively to correct the nonconformity and complies with the provisions of Section 2125, he or she will so notify the manufacturer in writing. Upon receipt of the approval notice from the Executive Officer, the manufacturer shall commence implementation of the approved plan. Notification of vehicle or engine owners and the implementation of recall repairs shall commence within 45 days of the receipt of notice unless the manufacturer can show good cause for the Executive Officer to extend the deadline.

(b) If the Executive Officer does not approve the recall plan or the mitigation measures provided in Section 2130 as submitted, the Executive Officer shall order modification of the plan or mitigation measures with such changes and additions as he or she determines to be necessary. The Executive

Officer shall notify the manufacturer in writing of the disapproval and the reasons for the disapproval.

(c) The manufacturer may contest the Executive Officer's disapproval by requesting a public hearing pursuant to the procedures set forth in [Sections 60040 to 60053, Title 17, California Code of Regulations](#). As a result of the hearing, the Board may affirm, overturn or modify the Executive Officer's action. In its decision, affirming or modifying, the Board shall specify the date by which the manufacturer shall commence notifying vehicle or engine owners and implementing the required recall repairs.

(d) If no public hearing is requested in accordance with (c) above, the manufacturer shall incorporate the changes and additions required by the Executive Officer and shall commence notifying vehicle or engine owners and implementing the required recall repairs within 60 days of the manufacturer's receipt of the Executive Officer's disapproval.

<General Materials (GM) - References, Annotations,
or Tables>

Note: Authority cited: [Sections 39600, 39601, 43013, 43018](#) and [43105, Health and Safety Code](#).
Reference: [Health and Safety Code Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107](#) and [43204-43205.5](#), Health and Safety Code.

HISTORY

1. Renumbering and amendment of text previously incorporated by reference in Section 2113 to Section 2126 filed 1-24-90; operative 2-23-90 (Register 90, No. 8). For prior history, see Registers 86, No. 38 and 83, No. 17.

2. Amendment of Note filed 1-26-95; operative 1-26-95 pursuant to [Government Code section 11343.4\(d\)](#) (Register 95, No. 4). Note: Under section 209(e)(2) of the Federal Clean Air Act ([42 U.S.C. s 7543\(e\)\(2\)](#)), California is required to receive authorization from the Administrator of the U.S. Environmental Protection

Agency (U.S. EPA) prior to enforcing its regulations regarding new off-road vehicles and engines. Accordingly, the Air Resources Board will not seek to enforce the off-highway recreational vehicle regulations until such time as it receives authorization from the U.S. EPA.

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